

Application Serial No.: 10/673,846
Amendment and Response to October 24, 2007 Final Office Action

REMARKS

Claims 1 – 7 and 15 – 17 are in the application. Claims 1, 15 and 16 are currently amended; claims 2 – 7 and 17 were previously presented; and claims 8 – 14 are canceled. Claims 1 and 15 – 17 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith.

Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 – 7 and 15 – 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al. U.S. Publication No. 2002/0116336, hereinafter "Diacakis", with claims 15 and 16 being each rejected with the same rationale given for the rejection of claim 1. This rejection is traversed.

Applicant notes that each of the independent claims are submitted herewith for amendment as indicated above in the listing of the claims. Applicant further notes that claim 1 is representative of the amendments made to the independent claims, with claim 1 relating to a method including interfacing an identity oriented context system that represents a context of a user based on a context of an entity with a device oriented context system that represents the context of the user based on a context of the device; determining, by the device oriented context system, a device oriented context for a specific device associated with an identity, wherein the device oriented context provides an availability status of the specific device; determining, by the identity oriented context system, an identity oriented context for the identity, wherein the identity oriented context provides an availability status of the identity. Claim 1 further includes determining an availability rule associated with the identity; determining, for a specific time, a true availability of the identity based, at least in part, on the device oriented context for the specific device associated with the identity, the identity oriented context,

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the availability rule, and the specific time; and providing data indicative of the true availability of the identity.

Thus, it is clear from the amended independent claims submitted herewith that the claimed method, article of manufacture, and system each includes interfacing an identity oriented context system that represents a context of a user based on a context of an entity with a device oriented context system that represents the context of the user based on a context of the device. That is, Applicant's claimed invention includes two different context systems, an identity oriented context system and a device oriented context system. This aspect of Applicant's invention is clearly and thoroughly disclosed in the Specification at paragraphs [0021] – [0055] and FIGS. 1 – 3. As discussed, an identity oriented context system (104) that represents a context of a user based on a context of an entity is interfaced (i.e., in communication) with a device oriented context system (108) that represents the context of the user based on a context of the device. It is clear from Applicant's Specification and claim structure that the recited identity oriented context system and the device oriented context system are distinct from each other.

Regarding the cited and relied upon Diacakis, Applicant respectfully notes that it is not seen where both an identity oriented context system and a device oriented context system are disclosed and interfaced, as claimed. To the contrary, Diacakis only discloses determining an individual's presence with a presence detection engine 18 and using that determined presence to determine an availability for the individual. (See Diacakis, paragraph [0038] and FIG. 4)

Applicant further submits that Diacakis does not disclose or even suggest the claimed determining of the "true availability of said identity" since Diacakis fails to disclose both of the recited identity oriented context system and the device oriented context system.

Therefore, Applicant respectfully submits that Diacakis does not anticipate claims 1, 15, and 16. Applicant further submits that claims 2 – 7 and 17 are also

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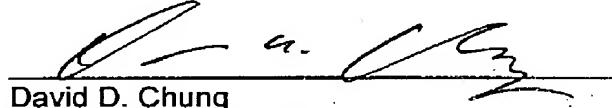
patentable over Diacakis under 35 USC 102(b) for at least depending from an allowable base claim.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (408) 492-5336.

Respectfully submitted,

21 Dec. 2007
Date



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